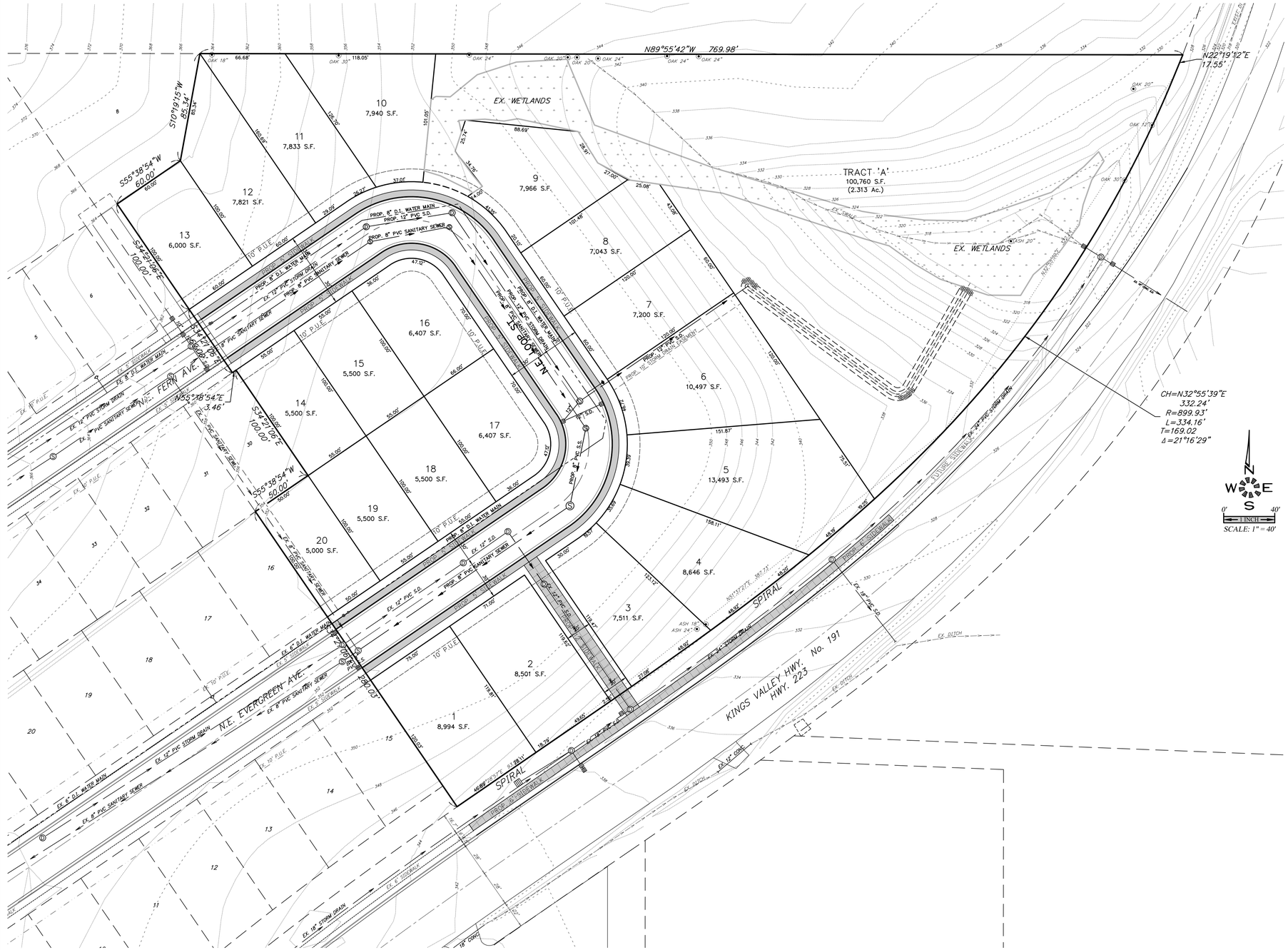
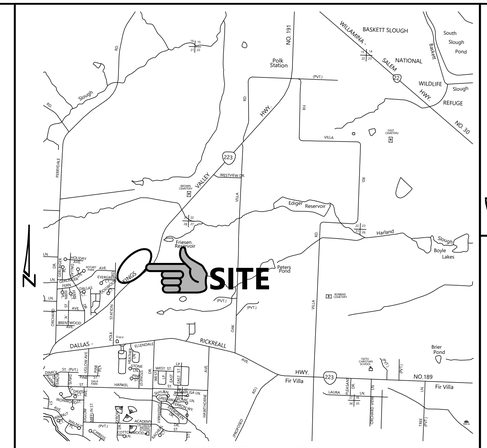
Owner / Developer:

David Kerns Construction Inc.
693 MAXWELL AVE.
MONMOUTH, OREGON 97361

SUN RISE MEADOW

SEC. 28, T. 7 S., R. 5 W., W.M.
CITY OF DALLAS
POLK COUNTY, OREGON





ABBREVIATIONS

A.C.	ASPHALTIC CONCRETE	L.P.	LIGHT POLE
ACMP	ALUMINIZED CMP	M	METER, MAIN
ASSY.	ASSEMBLY	M.H.	MANHOLE
B.O.	BLOW OFF	MTL.	METAL
B.F.V.	BUTTERFLY VALVE	O.H.	OVERHEAD
C & G	CURB & GUTTER	PC	POINT OF CURVE
CATV	CABLE TELEVISION	PCC	POINT OF CONTINUING CURVE
C.B.	CATCH BASIN	PED.	PEDESTAL
C.B.C.O.	CATCH BASIN CLEANOUT	PRC	POINT OF REVERSE CURVE
C.B.I.	CATCH BASIN INLET	PROP.	PROPOSED
C.L.	CENTERLINE	PT	POINT OF TANGENCY
CMP	CORRUGATED METAL PIPE	PUB.	PUBLIC
C.O.	CLEANOUT	PUE	PUBLIC UTILITY EASMT.
CONC.	CONCRETE	PVC	POLYVINYL CHLORIDE
CONST.	CONSTRUCT	PVT.	PRIVATE
D.I.	DUCTILE IRON	P.P.	POWER POLE
DIA.	DIAMETER	P.L.	PROPERTY LINE
DWG.	DRAWING	R	RADIUS
EASMT.	EASEMENT	R-	RIM
E.G.	EXIST. GRADE / GROUND	RD	ROOF DRAIN
EOP, E.P.	EDGE OF PAVEMENT	R.O.W.	RIGHT-OF-WAY
ELEC.	ELECTRIC	SAN.S. or S.S.	SANITARY SEWER
ELEV. or EL.	ELEVATION	S	SLOPE
EX. or EXIST.	EXISTING	STA.	STATION
FT.	FEET	STD.	STANDARD
F.F.	FINISH FLOOR	STL.	STEEL
F.G.	FINISH GRADE	STM.DRN. or S.D.	STORM DRAIN
F.H.	FIRE HYDRANT	SVC.	SERVICE
F.M.	FORCE MAIN	SW	SIDEWALK
GUT. or GTR.	GUTTER	T.C.	TOP OF CURB
G.V.	GATE VALVE	TEL.	TELEPHONE
IMP.	IMPROVEMENT	TYP.	TYPICAL
INST.	INSERT	U.G.	UNDERGROUND
INV. or I-	INVERT	VLT.	VAULT
L	LENGTH, LINE	W.M.	WATER MAIN

SYMBOLS

EXIST.	PROP.	
⊖	◓	BLOW OFF ASSY.
▥	▥	CATCH BASIN
▣	■	CATCH BASIN CLEANOUT
▣	▣	CATCH BASIN INLET
△	▲	CATV PED. / BOX
○	●	CLEANOUT
☑	◪	ELEC. PED. / BOX
◇	◆	FIRE HYDRANT
⊛	❀	GAS LOCATION MARKER
⋈	⋈	GAS VALVE
▭	◧	MAIL BOX

EXIST.	PROP.	
Ⓢ	Ⓢ	MANHOLE SAN. SEWER
Ⓓ	Ⓓ	MANHOLE STORM DRAIN
②	②	2' DIA. C.O. / M.H.
Ⓣ	Ⓣ	MANHOLE TELEPHONE
Ⓦ	Ⓦ	MANHOLE WATER
▷	▶	REDUCER / INCREASER
☑	◪	TEL. PED. / BOX
▭	▭	TRAFFIC PED. / BOX
○	○	UTILITY / POWER POLE
□	■	WATER METER
⊗	⊗	WATER VALVE

CABLE TELEVISION	SANITARY SEWER EXIST.
CENTERLINE	SANITARY SEWER PROP.
DITCH C.L.	STORM DRAIN EXIST.
ELECTRICAL LINE	STORM DRAIN PROP.
GAS MAIN	WATER MAIN EXIST.
TELEPHONE LINE	WATER MAIN PROP.

PARCEL SIZE:

DEVELOPABLE AREA	6.723Ac.
NUMBER OF UNITS	20
DENSITY	2.97 UNITS/Ac.
LARGEST LOT	13,493 S.F.
SMALLEST LOT	5,000 S.F.
AVERAGE	7,462 S.F.
WETLANDS TRACT	100,760 S.F
EXISTING WETLANDS	19,508 S.F.

UTILITIES:

CABLE	CHARTER CABLE SERVICES
ELECTRIC	P.P & L.
PHONE	CENTURY LINK
GAS	N.W. NATURAL
STORM DRAIN, SANITARY SEWER, WATER	CITY OF DALLAS

PRELIMINARY SHEET INDEX

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th ST. S.E. SALEM, OR. 97302
PH. (503) 363-9227 FAX (503) 364-1260
www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN
COVER SHEET

SUN RISE MEADOW

MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

6456x20 P101COV

Design: M.D.G.
Drawn: P.H.S.
ProjMgr: B.M.G.
Date: APRIL 2020
Scale: AS SHOWN
As-Built: ----

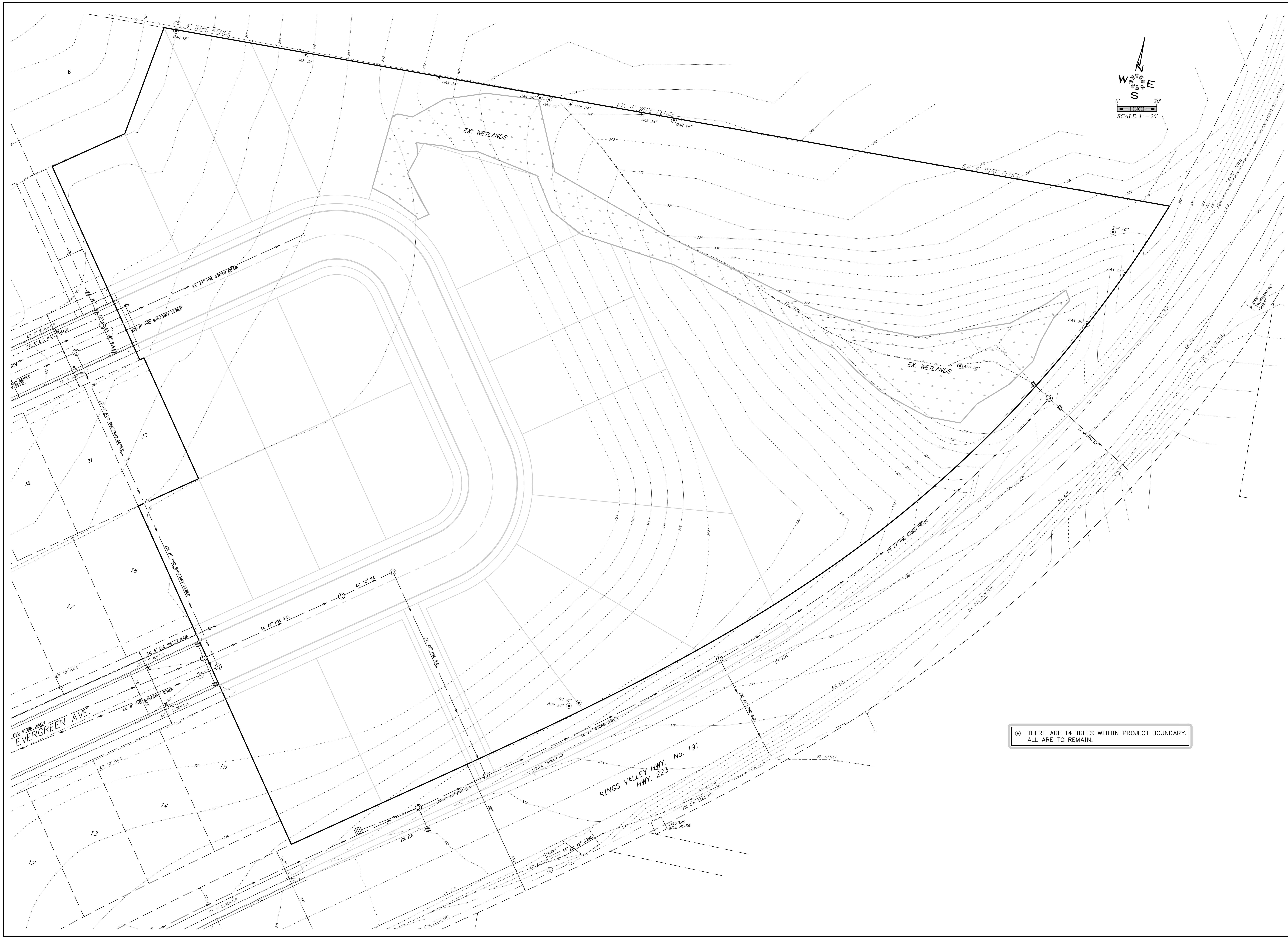
REGISTERED PROFESSIONAL ENGINEER
OREGON
JANUARY 19, 1979
MARK D. GRENZ

EXPIRES: 06-30-2021

JOB # 6466

P101

J:\6400-6499\6466-SunRiseMeadows\Dwg_s20\6466s20.dwg, P101COV, 5/7/2020 4:06:38 PM, PSaunders



THERE ARE 14 TREES WITHIN PROJECT BOUNDARY. ALL ARE TO REMAIN.

MULTI/TECH
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PRELIMINARY PLAN EXISTING CONDITIONS & TREE CONSERVATION

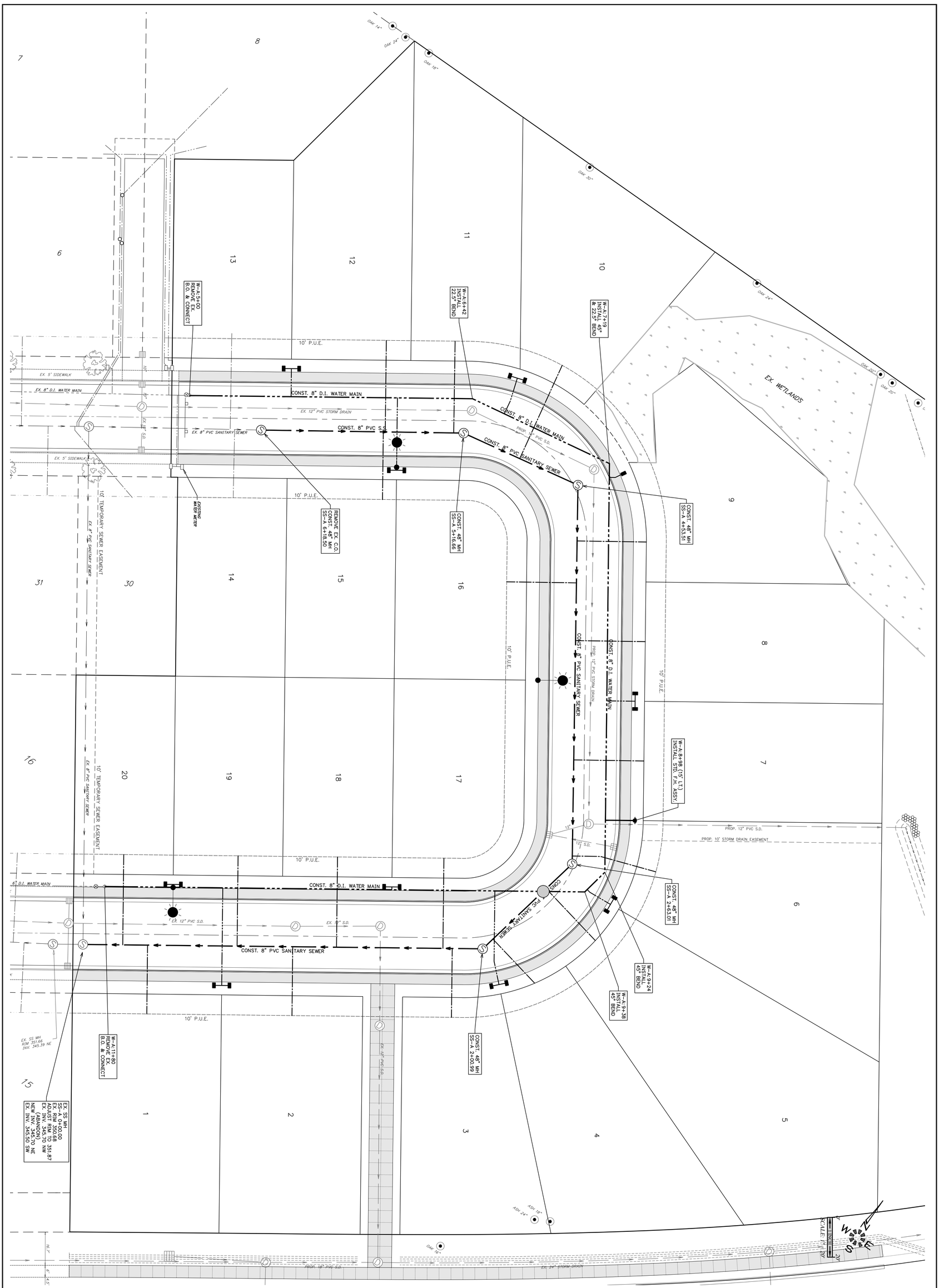
SUN RISE MEADOW

Design: M.D.G.
Drawn: P.H.S.
ProjMgr: B.M.G.
Date: APRIL 2020
Scale: AS SHOWN
As-Built: ----

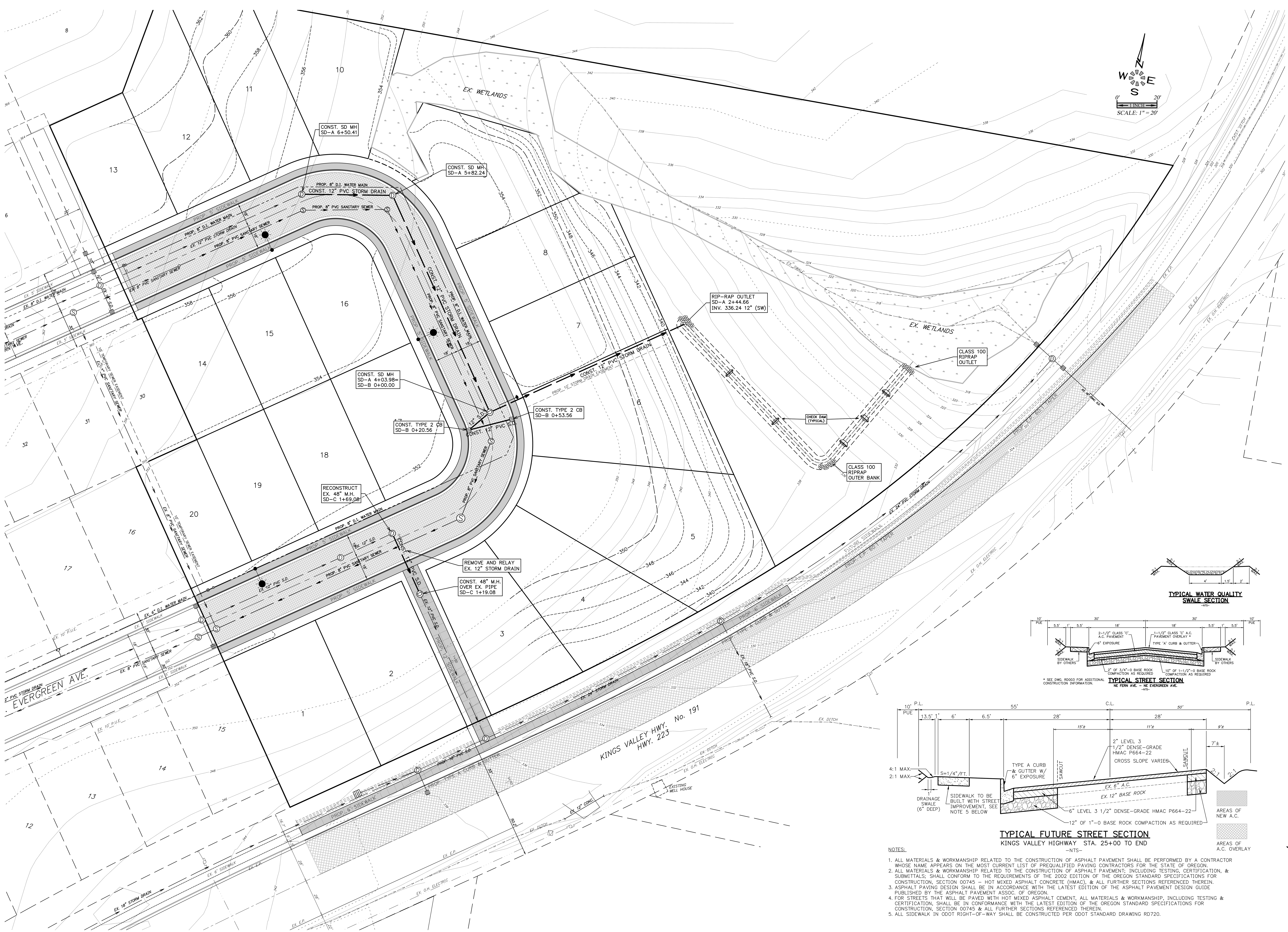
REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 14, 1978
MARK D. GRENZ
EXPIRES: 06-30-2021

JOB # 6466

P201



P301	JOB # 6466 EXPIRES: 06-30-2021	6466v20 P301UT Design: M.D.G. Drawn: P.H.S. ProjMgr: B.M.G. Date: APRIL 2020 Scale: AS SHOWN As-Built: ----	NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER. DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.	MULTI/TECH ENGINEERING EXEMPT FROM LIABILITY IF NOT STAMPED APPROVED NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE	**SUN RISE MEADOW**	**PRELIMINARY PLAN PUBLIC UTILITIES**	MULTI/TECH ENGINEERING SERVICES, INC. 1155 13th ST. S.E. SALEM, OR. 97302 PH. (503) 363 - 9227 FAX (503) 364-1260 www.mtengineering.net office@mtengineering.net


EX. WETLANDS
CONST. SD MH
SD-A 6+50.41
CONST. SD MH
SD-A 5+82.24
PROP. 8" D.I. WATER MAIN
CONST. 12" PVC STORM DRAIN
PROP. 8" PVC SANITARY SEWER
PROP. 5' SIDEWALK
EX. 12" PVC STORM DRAIN
RIP-RAP OUTLET
SD-A 2+44.66
INV. 336.24 12" (SW)
CONST. 12" PVC STORM DRAIN
PROP. 10' STORM DRAIN EASEMENT
CLASS 100
RIPRAP
OUTLET
CHECK DAM
(TYPICAL)
CLASS 100
RIPRAP
OUTER BANK
CONST. SD MH
SD-A 4+03.98=
SD-B 0+00.00
CONST. TYPE 2 CB
SD-B 0+20.56
CONST. TYPE 2 CB
SD-B 0+53.56
RECONSTRUCT
EX. 48" M.H.
SD-C 1+69.08
REMOVE AND RELAY
EX. 12" STORM DRAIN
CONST. 48" M.H.
OVER EX. PIPE
SD-C 1+19.08
10' TEMPORARY SEWER EASEMENT
EX. 8" PVC SANITARY SEWER
EX. 6" D.I. WATER MAIN
EX. 5' SIDEWALK
EX. 10' P.U.E.
EVERGREEN AVE.
PROP. 12' SIDEWALK
EX. 12" PVC S.D.
PROP. 6' SIDEWALK
PROP. TYPE A CURB & GUTTER
PROP. 18" PVC S.D.
EX. 24" STORM DRAIN
EX. 24" PVC STORM DRAIN
FUTURE SIDEWALK
PROP. E.P. 60:1 TAPER
EX. 18" PVC S.D.
EX. 18" CONC. S.D.
KINGS VALLEY HWY. No. 191
HWY. 223
EX. DITCH
EX. O.H. ELECTRIC
EX. E.P.
EXISTING WELL HOUSE
EX. 12" CONC.
EX. 18" STORM DRAIN
EX. 6' SIDEWALK
EXIST. DITCH
SCALE: 1" = 20'
TYPICAL WATER QUALITY SWALE SECTION
-NTS-
TYPICAL STREET SECTION
NE FERN AVE. - NE EVERGREEN AVE.
-NTS-
2-1/2" CLASS 'C' A.C. PAVEMENT
1-1/2" CLASS 'C' A.C. PAVEMENT OVERLAY *
6" EXPOSURE
TYPE 'A' CURB & GUTTER
SIDEWALK BY OTHERS
2" OF 3/4"-0 BASE ROCK COMPACTION AS REQUIRED
10" OF 1-1/2"-0 BASE ROCK COMPACTION AS REQUIRED
* SEE DWG. RD003 FOR ADDITIONAL CONSTRUCTION INFORMATION.
TYPICAL FUTURE STREET SECTION
KINGS VALLEY HIGHWAY STA. 25+00 TO END
-NTS-
2" LEVEL 3 1/2" DENSE-GRADE HMAC P664-22
CROSS SLOPE VARIES
TYPE A CURB & GUTTER W/ 6" EXPOSURE
SAWCUT
S=1/4"/FT.
DRAINAGE SWALE (6" DEEP)
SIDEWALK TO BE BUILT WITH STREET IMPROVEMENT, SEE NOTE 5 BELOW
EX. 6" A.C.
EX. 12" BASE ROCK
6" LEVEL 3 1/2" DENSE-GRADE HMAC P664-22
12" OF 1"-0 BASE ROCK COMPACTION AS REQUIRED
AREAS OF NEW A.C.
AREAS OF A.C. OVERLAY

NOTES:

1. ALL MATERIALS & WORKMANSHIP RELATED TO THE CONSTRUCTION OF ASPHALT PAVEMENT SHALL BE PERFORMED BY A CONTRACTOR WHOSE NAME APPEARS ON THE MOST CURRENT LIST OF PREQUALIFIED PAVING CONTRACTORS FOR THE STATE OF OREGON.
2. ALL MATERIALS & WORKMANSHIP RELATED TO THE CONSTRUCTION OF ASPHALT PAVEMENT; INCLUDING TESTING, CERTIFICATION, & SUBMITTALS; SHALL CONFORM TO THE REQUIREMENTS OF THE 2002 EDITION OF THE OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION, SECTION 00745 – HOT MIXED ASPHALT CONCRETE (HMAC), & ALL FURTHER SECTIONS REFERENCED THEREIN.
3. ASPHALT PAVING DESIGN SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE ASPHALT PAVEMENT DESIGN GUIDE PUBLISHED BY THE ASPHALT PAVEMENT ASSOC. OF OREGON.
4. FOR STREETS THAT WILL BE PAVED WITH HOT MIXED ASPHALT CEMENT, ALL MATERIALS & WORKMANSHIP, INCLUDING TESTING & CERTIFICATION, SHALL BE IN CONFORMANCE WITH THE LATEST EDITION OF THE OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION, SECTION 00745 & ALL FURTHER SECTIONS REFERENCED THEREIN.
5. ALL SIDEWALK IN ODOT RIGHT-OF-WAY SHALL BE CONSTRUCTED PER ODOT STANDARD DRAWING RD720.

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www.mtengineering.net office@mtengineering.net

PRELIMINARY PLAN PUBLIC STREET & STORM DRAIN

SUN RISE MEADOW

6466v20 P401ST
Design: M.D.G.
Drawn: P.H.S.
ProjMgr: B.M.G.
Date: APRIL 2020
Scale: AS SHOWN
As-Built: ----

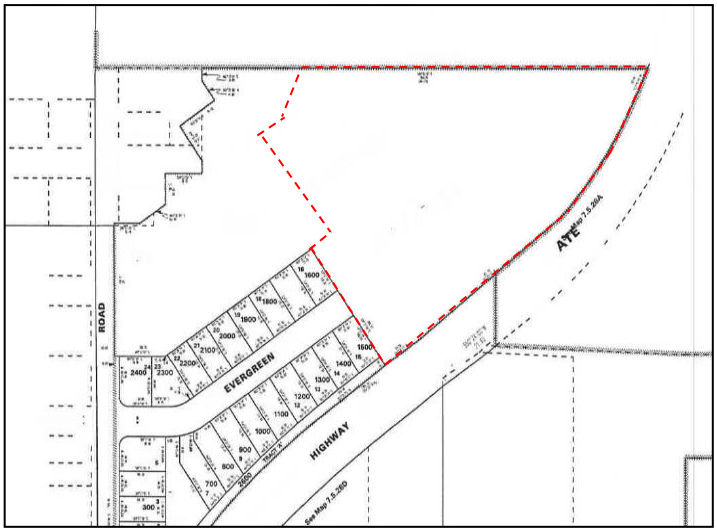
REGISTERED PROFESSIONAL ENGINEER 9654 OREGON JULY 14, 1978 MARK D. GRENZ
EXPIRES: 06-30-2021

JOB # 6466

P401

SUBDIVISION

Sun Rise Meadows



INTRODUCTION:

The proposal is to subdivide approximately 6.72 acres into 20 lots in an RL (Residential Low) density zoning district. The lots range in size from 5,000 to 13,493 square feet, with an average lot size of 7,463 square feet. There is also a 2.31 acres wetlands area designated as Tract A. The subject property was Phase 3 of Polk Station, but is no identified as Sun Rise Meadows.

The City held a pre-application conference on September 9, 2014 with the applicant's engineering representative, Multi/Tech Engineering, Inc. The purpose of the meeting was to discuss code requirements for subdividing the subject property.

The original subdivision approval (SUB 15-05) was approved on October 19, 2015.

SURROUNDING ZONING AND LAND USE:

The subject property is zoned RL (Residential Low) density. The subject property is vacant and is surrounded by the following land uses:

North: This property is outside City Limits; vacant land and existing single-family dwellings
South: RL; vacant and existing single-family dwellings
East: Across, Kings Valley Hwy, RL and outside the City Limits; vacant and existing single-family dwellings
West: RL; vacant and existing single-family dwellings

SITE CHARACTERISTICS:

The subject property is bounded on the south by Kings Valley Hwy. There are two stub streets, Evergreen Avenue and Fern Avenue, located along the west property line of the site. This stub streets have been provided adjacent the property because of past development, Polk Station Phase 1 and 2. Therefore, the development of the site will provide these street connections and a more efficient traffic flow throughout the subject property. The site is odd in shape but will efficiently accommodate development while complying with Code.

CRITERIA REGARDING TITLE 2.2 (RESIDENTIAL DISTRICTS):

Table 2.2.030. Requires a density range of 4-7 dwelling units per acre or up 9 dwelling units per acre where Low-Impact Development Incentives are utilized. The minimum lot size for an interior, single family non-attached dwelling unit lot is 5,000 square feet. A duplex lot is required to be a minimum of 7,000 square feet in area. The Table permits the minimum lot area in new land divisions to be the average of the minimum lot size of 5,000 square feet but in no case, can the lots be smaller than 80% of the minimum and the subdivision has to conform to the density range. Therefore, the smallest non-attached single-family lot can be 4,000 square feet as long as the minimum/maximum lot sizes and density is met and minimum lot size standards of 50 feet wide by 75 feet deep are met. A minimum of 6% of the site is required to be open space. Due to the location of wetlands on the site, the area in the northeast corner of the property has been designated for open space. The open space area is 2.31 acres in size and identified as Tract A. Therefore, the 6% of the site has been designated for open space.

2.2.050 specifies how housing density is calculated for single family subdivisions and mixed housing developments. The proposal is for single-family detached housing units on individual lots.

2.2.070 specifies building orientation standards. The proposed lots are laid out in a manner that the lots will allow the building entrances to be oriented towards the public streets to allow for safe ingress and egress to the lots. The minimum lot sizes allow for the placement of off-street parking to be located between building entrances and public streets.

2.2.080 specifies the standards for housing variety which is required for developments that create 20 or more lots. Projects are required to achieve a minimum of 12 points based upon the option tables shown in code. The applicant has no control over enforcing income levels of prospective property owners because he is not constructing any buildings or selling mortgages. The City provides two code options for developing a variety of housing types to facilitate a variety of price ranges.

Option 1: Lot Size Variety specifies points that the developer can accrue based upon percentages of lot sizes relative to the project's median lot size. The median lot size, minimum/maximum proposed density, percent of open space, amount of right-of-way; minimum/maximum lot sizes are shown on the site plan.

The median lot size within the proposed subject property is 7,355 square feet. The 20 lots range in size from 5,000 to 13,493 square feet in size. Twenty percent less than the median lot size is 5,884 square feet. Five of the 20 lots are less than 5,884 square feet in size. The site

plan shows that there are 25% of lots in the project that are at least 20% smaller than the project's median lot size. Therefore, giving the project **6 points** under Option 1(a).

Option 2: Housing choices specifies that the developer can accrue points based upon percentages of housing types relative to a base line of 1,600 square feet of enclosed floor area excluding garages. The site plan shows that there are several smaller lots throughout the subdivision that can be designated for smaller housing types. Four lots within the proposed subdivision (Lots 14, 18, 19, 20), have been designated to accommodate smaller housing types, meaning there are 20% of lots in the project that could be designated for "small housing types" (less than 1,600 square feet, excluding garages).

Through the CC&R's the applicant will designate and identify the four (4) lots to be designated for houses 1600 square feet in size or smaller. Therefore, 20% of the lots within the development will be designed for smaller lots. **Yielding 6 points. See attached site plan.**

Affordable Housing: Since the applicant is not building the houses, renting out houses, or supplying mortgages, he is not looking to utilize the **Affordable housing** option in code. This code standard has to be complied with by future buyers or renters. This code criterion is enforced by the City when people move in and rent or buy a house.

Staff has indicated however, that there needs to be a mechanism incorporated into the development that will permit compliance with the **Affordable housing** table. The **Affordable housing** table is based upon Polk County median income which indicates the income limit is based upon U.S. Department of Housing and Urban Development criteria. The Fiscal Year 2010 Income Limits Documentation System of HUD indicates that the median income for Polk County is $57,700. A four person household Low Income Limit (80%) is listed as $46,150. An Extremely Low Income Limit ((30%) is $17,300. A Very Low Income Limit (50%) is $28,850 (http://www.huduser.org/portal/datasets/il/il2010/2010summary.odn). Since the Fiscal Year Income Limits Documentation System changes from year to year, it is to be expected that the Polk County median income level would also change. The U.S. Census Bureau American Fact Finder reports that the Census 2000 Dallas Oregon average household size is 2.57 persons and the median household income in 1999 dollars is $35,967. (http://factfinder.census.gov/home/saff/main.html). Once the 2010 Census is certified, these figures could also change.

While this does not mean that all homeowners within the development must qualify for HUD housing assistance programs, it does mean that the City is placed in a position where they have to review personal financial information from homeowners to assure compliance with their code for issuance of building permits. The developer is merely creating lots and is not planning on building houses or supplying mortgages to prospective lot owners.

Conclusion: Based upon information received from the pre-application conference and the minimum lot size and street development criteria in code, the applicant is proposing that 4 lots in the subdivision be reserved for houses that are 1,600 square feet or less in area. Code requires a development agreement to assure this. **Once a development agreement is executed, this will yield 6 Points**. The applicant will also have CC&R's in place that will require the minimum and maximum house sizes on these lots.

Furthermore, twenty percent less than the median lot size is 5,884 square feet. The site plan shows that there are 25% of lots in the project that are at least 20% smaller than the project's median lot size. Therefore, giving the project **6 points** under Option 1 (a).

Therefore, the proposed project will yield 12 points.

2.2.090 promotes **Low-Impact Development Incentives**. Most of the criteria in this section relate to construction, reuse of historic structures, conservation of natural areas, green construction, energy and water conservation, or impacts generally associated with large commercial or multifamily developments. The provisions of this section are voluntary. Most of these provisions are not applicable to the applicant's project because he is meeting other standards in the code to assure that wetland and open spaces areas

are conserved as much as practical. Subdivision standards regulate storm and waste water discharge, require paved streets, require street trees to reduce heat and glare. New housing construction provides up to date energy conservation practices. The applicant is not requesting an increase in the density bonus but will encourage home-builders to review these standards.

CRITERIA REGARDING TITLE 3.1 (ACCESS and CIRCULATION):

3.1.020.D. The proposed subdivision is for 20 lots. The proposed subdivision does not warrant the need for a TIA. A Traffic Impact Analysis was provided as the part of the original Polk Station approval (SUB 15-05).

Dallas City Council approved and passed Ordinance No. 1773, which amended the City's TSP. The TSP amended eliminated the need for street connection to Kings Valley Highway located to the south of the property. Therefore, this connection is not proposed.

3.1.020.F-K. Table 3.1.020.F.2. Specifies access spacing on public streets. Vision clearance is specified and will be reviewed for conformance to standards when driveway/street intersections are determined. Code specifies that one street access point is permitted per each single-family dwelling. Shared driveways may be used when access is to a collector or arterial street to reduce the number of driveway cuts and facilitate maneuvering. There are no cross-over easements needed because there are no shared driveways to major streets and the project is not a commercial development. Driveway widths are specified and will be reviewed for compliance when building permit applications are submitted to and reviewed by the City.

3.1.020.L-M. Indicates that the Fire Code has separate regulations for some specific access cases. Because there are several access points through the subdivision, Fire turnarounds are not required.

3.1.020.N. This subsection specifies standards for vision clearance. **3.1.020.N.** Specifies conditions and exceptions for driveways. (There are two subsection "N"'s in code.) Vision clearance for each lot will be reviewed at the time of building permits.

3.1.020.O. Specifies that new development must provide a circulation system that accommodates expected traffic on-site including pedestrian connections. The proposal extends the existing public Street and sidewalk system for ultimate completion. The internal street connections and connections to the existing street system will provide a more efficient vehicle and pedestrian circulation pattern through the subject property and to adjacent neighborhoods.

A pedestrian path has been provided between Lots 2 and 3 to provide access to the existing sidewalk system to the south.

3.1.020.P. Specifies construction standards which must be met by the developer. The City's Public Works Department is responsible for assuring compliance for final plat approval and for individual building permit applications. These standards are identified on the site plans provided or will be met at the time of building permits.

3.1.030. Specifies development standards to assure safe, direct and convenient pedestrian circulation. The City's TSP addresses the State's Transportation Planning Rule. The sidewalk system that is proposed throughout the site, via sidewalks, provides hard-surfaced connections to the existing public sidewalk system to the adjacent neighborhoods. There are no internal parking lots to serve.

CRITERIA REGARDING TITLE 3.2 (LANDSCAPING, STREET TREES, FENCES and WALLS):

3.2 .020. Specifies standards for tree removal and preservation of vegetation along wetlands and in riparian corridors. There are no significant trees on the subject property. The applicant has identified trees on the site for removal. There are 14 trees located on the site. All fourteen (14) trees will remain on the site. All trees within the wetlands area, Tract A will remain.

3.2.040. Street tree planting is required. The City specifies the type and size and spacing standards for street trees. The street tree requirement will be met with the Conditions of Approval.

3.2.050. There is no proposal for fencing the boundary of the subdivision with this application. There is no code requirement to fence a subdivision development.

CRITERIA REGARDING TITLE 3.3 (PARKING and LOADING):

3.3. This specifies minimum parking spaces required for single family dwellings. This standard will be reviewed for compliance when individual building permit applications are submitted to the City for review and approval.

CRITERIA REGARDING TITLE 3.4 (PUBLIC FACILITIES):

3.4.A-F. This specifies public facility standards. The Public Works Department is responsible for review and approving public facility construction and installation. No under improved streets are proposed. Sidewalk installation is generally required when building permit applications are submitted to the City. Utilities are required to be underground. Engineered construction plans will be required for final plat approval.

3.4.010.G. This addresses connectivity to abutting lands, extension of existing streets, internal connectivity and formation of blocks. The maximum block length allowed is 600 feet (**3.4.010.G.4**). All block lengths are in compliance with the Code. A minimum of a 100-foot block length and a maximum of a 600-foot block length are maintained by the proposal.

The proposal proposes internal streets will connect to the existing street system to the west, Evergreen Avenue and Fern Avenue, that will extend through the site. The proposal extends the existing public street and sidewalk system for ultimate completion. These connections will provide a more efficient vehicle and pedestrian circulation pattern through the subject property and to adjacent neighborhoods. A pedestrian path between Lots 2 and 3 has been provided for access to the existing street system to the south. Therefore, these street connections will provide the required connectivity to adjacent neighborhoods.

3.4.010.H. The proposed subdivision does not warrant the need for a TIA. A Traffic Impact Analysis was provided as the part of the original Polk Station approval (SUB 15-05).

3.4.010.I. The subject property is adjacent to fully developed land and vacant land to the north, southwest, and west. There are two existing stub streets located along the west property line of the subject property that are part of Polk Station Phase 1 and 2. The proposed internal streets will connect to these stub streets (Evergreen Avenue and Fern Avenue) to provide circulation throughout the neighborhood.

The proposal extends the existing public streets and sidewalk system for ultimate completion. These connections will provide a more efficient vehicle and pedestrian circulation pattern through the subject property and to adjacent neighborhoods. Therefore, the internal streets and the street connections will provide the required connectivity to adjacent neighborhoods.

3.4.010.J-Z specifies street development standards for alignment, sidewalks, bike lanes, planter strips, intersection angles, rights-of-way, cul-de-sac lengths and radius, grades, curb cuts, streets adjacent to railroad rights-of-way, streets accessing arterial streets, alleyways, street signs, street names, signage, mail box location, street lighting and cross sections. The proposed internal streets and street connections will be designed to City standards. See attached site plans.

Storm Drainage: The storm water conveyance system will be designed to meet the requirements of water quality and water quantity requirements and will be designed within the proposed street rights-of-way.

Design of the storm drains will include provisions to adequately control runoff from impervious and pervious areas within and upstream of the development without exceeding capacities of the available facilities downstream. Underground storm detention systems will be constructed within the street rights-of-way. Outflows from the differing basins shall be restricted through an orifice within a control structure manhole. Direct outflows shall be designed to minimize the potential for erosion and other potential damage to the existing waterway banks.

A preliminary drainage study was submitted and approved with Sub 15-05.

CRITERIA REGARDING TITLE 4.3 (LAND DIVISIONS):

Development Standards:

4.3.040.A. All lots are being designed to the requirements of the Code. Therefore, the applicant is not requesting any flexibility in lot dimensions.

4.3.040.B. There are no alleys or mid-block lanes proposed within this development**.**

4.3.040.C-E. The preliminary proposal does not include any flag lots. The size and shape of the lot have been taking into consideration. Since there are no shared flag lot access ways or mid-block lanes proposed, there is no need to record reciprocal access easements.

4.3.050.A-D. The proposal is for preliminary plat approval. The applicant is aware of the 2-year approval deadline.

4.3.050.E. The proposal is for a 20-lot single family dwelling subdivision. The proposed property was originally Phase 3 of Polk Station. However, this is not a phased development.

4.3.060. The proposal is a Type 3 procedure. Code specifies the parameters when a Public Facilities and Services Impact Study are needed and that findings must be made by the City to require proportional projected impacts requiring conveyance of real property. The site plans show locations of public and private utilities, and a typical street section. The subject property is served by the Dallas public and private school systems, including public college programs.

Physical access to the school system is provided by improved streets and sidewalks and the school district's bus service program.

4.3.070.A.1-8 are general approval criteria for a preliminary plat addressed herein.

4.3.070.A.1. The body of this report and the exhibits submitted address Article 4 and applicable sections of Articles 2 and 3 and any relevant sections of Article 5 if a variance is identified as needed to process the preliminary plat. No variances have been requested.

4.3.070.A.2. The Polk County Surveyor is currently reviewing the proposed plat name. See the attached subdivision name request form.

4.3.070.A.3. **Figure 7-1** of the Dallas Transportation System Plan (TSP) indicates that Evergreen Avenue and Fern Avenue are both 'local' streets. All internal public streets are planned to meet the minimum right-of-way and improvement widths specified under **Table 7-1** of the Dallas TSP. These widths allow for right-of-way and improvement widths for travel lanes, sidewalks, on-street parking, and planting strip and public utility easements to serve each lot. The TSP does not call for the extension of any major linking street facilities through the subject property. The utility plans submitted with the application indicate where existing and proposed facilities are planned.

The proposed street extensions are a result of previous platted development to the to the west, Polk Station Phase 1 and Phase 2, which planned for street extensions to serve the remainder of vacant land in the neighborhood.

4.3.070.A.4. Tract A (Lot 21) is designated as open space and will be maintained by a homeowner's association agreement. Once recorded, the proposal will comply with this standard.

4.3.070.A.5. There are no required State or Federal permits needed to file a preliminary plat with the City of Dallas. Any applicable permits required from outside agencies will be submitted at the time of development. ORS 92 governs the final plat recording which is required to be in compliance with outside agency permitting requirements for development. Thus, the proposal can or will comply with this standard.

(Code does not contain subsection A.6.)

4.3.070.A.7. The City publishes evidence that improvements or conditions required by the review body can be met. The City's published findings for the application address what the conditions are and the timing for meeting those conditions via final plat approval and building permit approval. Engineered construction plans are not required at the preliminary plat stage. Thus, the proposal can or will comply with this standard for final plat approval by the City.

4.3.070.A.8. The subject property is not within an Overlay Zone or part of an approved Master Planned Development. Thus, the proposal can or will comply with this standard.

4.3.070.C.1. Applicable portions of Article 2 are discussed in the body of this report. Since all lots meet the minimum standards, all lots can meet minimum setback standards in code. The code makes provisions for variances from lot development standards if any are determined to be necessary when building permit applications are submitted to the City.

Joint Permit Application

This is a joint application, and must be sent to both agencies, who administer separate permit programs. Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

RECEIVED
SEP 11 2018
Date Stamp

U.S. Army Corps of Engineers Portland District	Oregon Department of State Lands DEPARTMENT OF STATE LANDS Revised
Corps Action ID Number NWP 2017-431	DSL Number 60576-RF (Rev 9/2018)

(1) TYPE OF PERMIT(S) IF KNOWN (check all that apply)

Corps: ☒ Individual ☐ Nationwide No.: _____ ☐ Regional General _____ ☐ Other _____

DSL: ☒ Individual ☐ General Permit ☐ No State Permit Required ☐ Waiver

(2) APPLICANT AND LANDOWNER CONTACT INFORMATION

	Applicant	Property Owner (if different)	Authorized Agent (if applicable) ☑ Consultant ☐ Contractor
Name (Required)	David Kerns	Imbert Louis & Cecile TR	Eric Henning
Business Name	David Kerns Construction		Zion Natural Resources Consulting
Mailing Address 1	P.O. Box 386	755 Skyraider Drive	P.O. Box 545
Mailing Address 2			
City, State, Zip	Independence, OR 97351	Independence, OR 97351	Monmouth, OR 97361
Business Phone	(503) 851-0682		503-838-0103
Cell Phone			503-881-4171
Fax			503-623-7425
Email	davidkernsconstinc@hotmail.com		eric@zionconsulting.org

(3) PROJECT INFORMATION

A. Provide the project location.

Project Name Polk Station Phase 3 Subdivision			Latitude & Longitude* 44.9370 / 123.3025
Project Address / Location North of Kings Valley Hwy and east of NE Polk Station Road	City (nearest) Dallas		County Polk
Township	Range	Section	Quarter / Quarter	Tax Lot
7S	5W	28	AC	2500

Brief Directions to the Site:
North of Kings Valley Hwy and east of NE Polk Station Road

B. What types of waterbodies or wetlands are present in your project area? (Check all that apply.)

☐ River / Stream ☑ Non-Tidal Wetland ☐ Lake / Reservoir / Pond

☐ Estuary or Tidal Wetland ☐ Other ☐ Pacific Ocean

Waterbody or Wetland Name**	River Mile	6th Field HUC Name	6th Field HUC (12 digits)
Wetlands A through C		Baskett Slough Watershed	170900070104

* In decimal format (e.g., 44.9399, -123.0283)
** If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").

C. Indicate the project category. (Check all that apply.)		
☐ Commercial Development	☐ Industrial Development	☑ Residential Development
☐ Institutional Development	☐ Agricultural	☐ Recreational
☐ Transportation	☐ Restoration	☐ Bridge
☐ Dredging	☐ Utility lines	☐ Survey or Sampling
☐ In- or Over-Water Structure	☐ Maintenance	☐ Other:

(4) PROJECT DESCRIPTION

A. Summarize the overall project including work in areas both in and outside of waters or wetlands.

The design of this proposed project requires removal and fill material within the designated project area to construct one residential street and 21 subdivision lots. This includes permanently impacting 0.66 acres of wetlands within the proposed project area (Preferred Alternative). This plan will have an approximate fill volume of 15,952 cubic yards and a removal volume of 6,323 cubic yards of material (rock, gravel, and topsoil) to complete the entire development.

B. Describe work within waters and wetlands.

Work within wetlands will result in 0.66 acres of wetland impacts and the avoidance of 0.46 acres of remaining wetlands in the eastern portion of the site. Designated wetland impact areas will have an approximate fill volume of 2,963 cubic yards and a removal volume of 1,061 cubic yards of material (rock, gravel, and topsoil). Wetland impacts include a portion of wetland A, and the two isolated wetlands B and C. These impacts are for the placement of 16 lots, one residential street, and utilities infrastructure.

C. Construction Methods. Describe how the removal and/or fill activities will be accomplished to minimize impacts to waters and wetlands.

Fill material will be transferred onsite from the surrounding uplands by means of trucks during the dry season to limit potential impacts to the remaining resources. Access to the site for construction activities will be from Evergreen and Fern Avenues.

Throughout construction, best management practices (BMP) will be used to minimize erosion and siltation associated with site runoff. Practicable erosion control measures may include but are not limited to silt fencing, bio bags, sediment collection basins, and gravel entryways installed prior to the commencement of construction. All BMPs will be properly maintained throughout the duration of the project to keep sediments from entering any wetlands and other waterways in the project vicinity. Following completion of construction, all disturbed areas will be stabilized and re-vegetated with an approved groundcover material. An erosion control plan and stormwater management plan have been prepared as part of the proposed development.

(4) PROJECT DESCRIPTION (continued)

D. Describe source of fill material and disposal locations if known

Fill material will be utilized onsite from the subject property as part of the site grading. Crushed rock will be imported from a local source to complete the development requirements.

E. Construction timeline.

What is the estimated project start date? September 2018

What is the estimated project completion date? September 2019

Is any of the work underway or already complete? If yes, please describe. ☑ Yes ☐ No

Site grading has occurred in uplands.

F. Removal Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name *	Removal Dimensions					Duration of Impact**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq.ft. or ac.)	Volume (c.y.)		
Wetland A				6,848	253	Perm	Topsoil, rock
Wetland B				19,434	720	Perm	Topsoil, rock
Wetland C				2,384	88	Perm	Topsoil, rock

G. Total Removal Volumes and Dimensions

Total Removal to Wetlands and Other Waters	Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Removal to Wetlands		0.66	1,061
Total Removal Below Ordinary High Water			
Total Removal Below Highest Measured Tide			
Total Removal Below High Tide Line			
Total Removal Below Mean High Water Tidal Elevation			

H. Fill Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name*	Fill Dimensions					Duration of Impact**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq. ft. or ac.)	Volume (c.y.)		
Wetland A				14,562	507	Perm	Topsoil, rock
Wetland B				19,434	1,620	Perm	Topsoil, rock
Wetland C				2,384	264	Perm	Topsoil, rock

(4) PROJECT DESCRIPTION (CONTINUED)

I. Total Fill Volumes and Dimensions

Total Fill to Wetlands and Other Waters	Length (ft.)	Area (ac.)	Volume (c.y.)
Total Fill to Wetlands		0.66	2,391
Total Fill Below Ordinary High Water			
Total Fill Below Highest Measured Tide			

Total Fill Below High Tide Line			
Total Fill Below Mean High Water Tidal Elevation			

*If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").
**Indicate the days, months or years the fill or removal will remain. Enter "permanent" if applicable. For DSL, permanent removal or fill is defined as being in place for 24 months or longer.
*** Example: soil, gravel, wood, concrete, pilings, rock etc.

(5) PROJECT PURPOSE AND NEED

Provide a statement of the purpose and need for the overall project.

The purpose of this project is to provide 21 affordable single family residential lots for the market area of Dallas and Monmouth including surrounding areas within the Ash Creek Watershed such as Independence and Rickreall. To meet the documented need for single family housing the applicant is developing a 6.83 acre property into a single family residential subdivision. This new subdivision, called Polk Station Phase 3, will consist of 21 lots and a residential street within the city limits of Dallas in Polk County. The proposed development plan will impact 0.66 acres of wetlands and avoid 0.46 acres.

The need for the removal and fill activity within the wetlands is necessary for the placement of a looped residential street (Uniform Fire Code), 16 residential lots, and utilities infrastructure. Based on the avoidance of wetlands, topography, and the irregular shaped property there is no logical layout for the development to avoid two isolated wetlands (B and C) and portions of wetland A and still make this project economically viable.

The Housing Section of the Dallas Comprehensive Plan updated (1996), estimates the need for additional dwelling units based upon the Oregon Housing and Community Services Housing Needs Model and demographic and housing trends. The City's analysis indicates a need for 2,047 single family dwelling units to accommodate the 2020 population forecast. The current inventory figure for April 2018 is 3.0, which means that at the current rate of sales we would 'run out of homes' in 3.0 months. Compared to this time last year the inventory figure was 2.95, according to the latest report from RMLS, the Regional Multiple Listing Service.

(6) DESCRIPTION OF RESOURCES IN PROJECT AREA

A. Describe the existing physical and biological characteristics of each wetland or waterbody. Reference the wetland and waters delineation report if one is available. Include the list of items provided in the instructions.

A Hydrogeomorphic Based Assessment of Wetlands – Reference Based Methodology has been completed and included with this application package. The HGM classification is Slope/Flats. The following wetland area information has been obtained from the Wetland Delineation Report that was concurred with by DSL on November, 5, 2015 (WD 2015-0406).

The primary soils mapped for the study area are Dupee silt loam (27C) and Salkum silty clay loam (64C). These soil series are not listed as a hydric soils according to the Polk County hydric soils list.

Wetland A (0.61 ac)

This wetland is a palustrine emergent wetland and is located in the north central portion of the study area. This wetland area appears to begin on a hillslope and follows the microtopography of the site to the east and to the south. Additional wetlands appear to originate offsite to the north in a pasture and continue onsite in a southeasterly direction with the northern boundary dominated by Himalayan blackberry (*Rubus armeniacus*) all the way to the eastern study area boundary. The eastern portion of the wetland appears to be an excavated detention area that likely ponds during the wet season and is dominated by lamp rush (*Juncus effuses*). Fill material south of this wetland area consisted of a dominance of Scotch broom (*Cytisus scoparius*) and Himalayan blackberry (*Rubus armeniacus*). The hydrology appears to come from upland runoff, precipitation, and groundwater hydrology. The hydrology continues offsite to the east through a storm drain on the eastern most boundary.

Dominant wetland plant communities included *Rosa nutkana, Crataegus monogyna, Rubus armeniacus, Holcus lanatus, Schedonorus arundinaceus, Agrostis capillaris, Deschampsia cespitosa,* and *Juncus effusus.* Dominant upland plant communities consist of *Rubus armeniacus, Cytisus scoparius, Daucus carota, Holcus lanatus, Agrostis capillaris,* and *Schedonorus arundinaceus.*

Wetland B (0.45 ac)

This isolated wetland is a palustrine emergent wetland and is located in the southcentral portion of the study area. This wetland is on a gentle hillslope with the southern portion in the form of a shallow swale adjacent to fill material. The hydrology appears to come from upland runoff, precipitation, and groundwater hydrology. Dominant wetland plant communities included *Juncus tenuis, Agrostis capillaris, Hypochaeris radicata,* and *Deschampsia cespitosa.* Dominant upland plant communities consist of *Cytisus scoparius, Rubus armeniacus, Agrostis capillaris, Plantago lanceolate, Hypochaeris radicata, Schendonorus arundinaceus,* and *Daucus carota.*

Wetland C (0.05 ac)

This isolated wetland is a palustrine emergent wetland and is located in the southern portion of the study area. This wetland is a depressional area bordered by fill material along the northern boundary. The southern boundary is comprised of hard packed angular gravel. The hydrology appears to come from precipitation and groundwater hydrology. Dominant wetland plant communities consist *Holcus lanatus* and *Agrostis capillaris.* Dominant upland plant communities consist of *Plantago lanceolate, Schedonorus arundinaceus, Danthonia californica,* and *Agrostis capillaris.*

B. Describe the existing navigation, fishing and recreational use of the waterbody or wetland.

There are no existing navigation, fishing and recreational use of the wetlands.

(7) PROJECT SPECIFIC CRITERIA AND ALTERNATIVES ANALYSIS

Describe project-specific criteria necessary to achieve the project purpose. Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterbody or wetland.*

Project specific criteria necessary to achieve the project purpose includes the following:

- Provide affordable single family residential housing to meet demand within the market area
- Access to existing utilities
- Emergency access requirements
- Site size to meet the project purpose (5 to 10 acres)
- Avoidance of waters/wetlands
- Reduce impacts to surrounding aquatic habitat (provide treatment of onsite stormwater SLOPES V standards)
- Project must be economically viable

Alternative Sites

Additional off-site alternative locations have been expanded to include the surrounding communities of Dallas and Monmouth. These three cities are in close proximity to each other (Ash Creek Watershed) and are somewhat interdependent based on local industries and institutions such as Western Oregon University. As of April 2018 there are 6 alternative sites between 5 and 10 acres within the market area

* Not required by the Corps for a complete application, but is necessary for individual permits before a permit decision can be rendered.

(Willamette Valley Multiple Listing Service). Of these six properties, three were outside the UGB's of the market area (zoned Exclusive Farm Use or Farm Forest), not sub dividable, and are from one to five miles from access to utilities making these sites logistically impossible to develop.

The three alternative locations within the UGBs of the market area are encumbered by the presence of wetlands and/or hydric soils, under contract, and/or zoned commercial. In addition this would result in a significant economic loss to the applicant to re-invest in an alternative site. The applicant would have to sell the existing site along with accruing the costs of a wetland delineation, surveying, engineering, and planning services to determine if this alternative site is even feasible.

Criteria	Subject Property	Alternative Site 1	Alternative Site 2	Alternative Site 3	Alternative Site 4	Alternative Site 5	Alternative Site 6
Location	**T7S, R5W, Sec. 28AC, tax lots 2500**	1551 Monmouth Independence Hwy.	Helmick Road (T8S, R4W, Sec 30, tax lot 800)	Hoffman Road	9020 Crowley Road	6045 Fern Hill Road	7865 Highland Road
Within UGB	**Dallas**	Monmouth	Monmouth	Independence	Outside UGB	Outside UGB	Outside UGB
Size	**6.83 acres**	8.82 acres	5.97 acres	7.6 acres	8.6 acres	5.01 acres	5.25 acre
Access to Utilities	**Adjacent west**	Adjacent north and west	Adjacent west and east	Adjacent east	3.7 miles south	5 miles east	1 mile north
Wetlands / Waters	**1.12 acres**	2.34 acres	2.16 acres	90% hydric soils	Wetlands, pond	No hydric soils	Wetlands, pond
Zoning	**Residential**	Commercial	Residential	Commercial	Exclusive Farm Use	Farm / Forest	EFU
Available for Purchase	**Applicant owned**	Yes	Under contract	Yes	Yes	Yes	Yes
Conclusion	**Meets criteria – preferred site**	Proposed Ash Creek Station Commercial Development	Meets criteria – wetland impacts, under contract (NWP 2015-83-1)	Unknown wetland impacts	Unknown wetland impacts, utility restriction	Utility restriction	Utility restriction

This development will connect to an existing development to the west (Phase 1 and 2). The goal of this development was to utilize the existing current uplands with minimal wetland impacts. The site was designed to avoid all of the wetlands in the eastern portion of the site.

Preferred Alternative:

This alternative impacts 28,666 sq. ft. or 0.66 acres of wetlands. This design allows the avoidance of 0.46 acres of wetlands. This lot configuration includes 21 residential lots. This has been reduced by one lot to further avoid portions of wetland A. The design impacts the northern portion of wetland A and all of isolated wetlands B and C for the placement of 16 residential lots and a residential street. The applicant is required to provide two vehicle access points (Uniform Fire Code) which includes the looping connection of Fern Avenue and Evergreen Avenue. In addition access to the sanitary sewer line is also from these existing streets to the west. The avoided wetlands are also located in a topographically defined area that would self-sustain the hydrology for the avoided wetlands.

Planned Arterial Street Network:

The developer was required to meet standards (Table 1) needed for police and fire access as well as the City of Dallas development code for street size and location. The City is also requiring connectivity to the existing roads.

Table 1: Minimum Street and Sidewalk Standards from the Dallas Development Code *Article IV.

Type of Street	Right of Way	Sidewalks	Paved Roadway
Arterial Street	80-110 feet	5 foot sidewalks on both sides	52 inches or more
Collector Street	70 feet	5 foot sidewalks on both sides	36 to 40 inches
Local Street	60 feet if no alley	5 foot sidewalks on both sides	36 foot if no alley

Cul-de-Sac	50' street plus 5' utility easement on both sides or 50' bulb radius and 10' utility easement	5 foot sidewalks on both sides	32 inch street plus 40 foot bulb radius

Although this plan involves wetland impacts, these are considered reasonably expected adverse impacts to the wetlands and meets the developer's goal to provide housing with aesthetic buffering within the development. The preferred site design is considered to be the most practicable alternative by meeting the above listed project specific success criteria.

Alternative Design (Low Impact 1):
This plan proposes 0.32 acres of permanent impacts to wetlands. This lot configuration includes 15 residential lots. This particular design would avoid portions of wetlands A and B. Wetland B is a low functioning isolated wetland that would provide no functional benefit being located in the center of the subdivision while eliminating the income from four residential lots. The avoidance of wetland A would eliminate an additional three lots. The western end of wetland A, proposed to be avoided by the removal of three lots, was affected by a historic fill pile that has since been removed. This portion of the wetland is a palustrine emergent sloped wetland that originates from a ground seep and is not a high functioning wetland area. This design would not be economically feasible with the elimination of five residential lots.

Alternative Design (Low Impact 2)
Similar to the low impact 1 design, this plan proposes 0.33 acres of permanent impacts to wetlands while adding two additional lots (49 and 50) within an upland area for a total of 17 residential lots. This design would not meet the project criteria (avoidance of wetlands) since the existing onsite topography would require fill that would likely result in further impacts to adjacent wetlands in order to make these lots buildable. In addition this design would not be economically feasible with the elimination of five residential lots.

Alternative Design 2 (No Impacts):
This plan would avoid the entire 1.12 acres of wetlands. This lot configuration would include a total of only five residential lots with a break in the street loop configuration. The road configuration for this plan would not meet the city requirement for a Planned Arterial Street Network or meet the emergency access requirements. The development would also not be economically viable.

(8) ADDITIONAL INFORMATION

Are there state or federally listed species on the project site?	☐ Yes	☑ No	☐ Unknown
Is the project site within designated or proposed critical habitat?	☐ Yes	☑ No	☐ Unknown
Is the project site within a national Wild and Scenic River ?	☐ Yes	☑ No	☐ Unknown
Is the project site within a State Scenic Waterway?	☐ Yes	☑ No	☐ Unknown
Is the project site within the 100-year floodplain?	☐ Yes	☑ No	☐ Unknown

If yes to any of the above, explain in Block 6 and describe measures to minimize adverse effects to these resources in Block 7.

Is the project site within the Territorial Sea Plan (TSP) Area?	☐ Yes	☑ No	☐ Unknown

If yes, attach TSP review as a separate document for DSL.

Is the project site within a designated Marine Reserve?	☐ Yes	☑ No	☐ Unknown

If yes, certain additional DSL restrictions will apply.

Will the overall project involve ground disturbance of one acre or more?	☑ Yes	☐ No	☐ Unknown
If yes, you may need a 1200-C permit from the Oregon Department of Environmental Quality (DEQ).			
Is the fill or dredged material a carrier of contaminants from on-site or off- site spills?	☐ Yes	☑ No	☐ Unknown
Has the fill or dredged material been physically and/or chemically tested?	☐ Yes	☑ No	☐ Unknown
If yes, explain in Block 6 and provide references to any physical/chemical testing report(s).			
Has a cultural resource (archaeological) survey been performed on the project area?	☐ Yes	☑ No	☐ Unknown
If yes, provide a copy of the survey with this application to the Corps only. Do not describe any resources in this document.			

Will the project result in new impervious surfaces or the redevelopment of existing surfaces? Yes ☐ No ☐

If yes, the Applicant must submit a post-construction stormwater management plan to DEQ's 401 WQC program for review and approval, see http://www.deq.state.or.us/wq/sec401cert/docs/stormwaterGuidelines.pdf

Identify any other federal agency that is funding, authorizing or implementing the project.

Agency Name	Contact Name	Phone Number	Most Recent Date of Contact

List other certificates or approvals/denials required or received from other federal, state or local agencies for work described in this application. For example, certain activities that require a Corps permit also require 401 Water Quality Certification (WQC) from Oregon Department of Environmental Quality (DEQ). For DEQ, please note that all projects that qualify for a Nationwide 401 WQC will be invoiced a fee. Projects that do not qualify for the Nationwide certification will be invoiced based on project complexity. See http://www.oregon.gov/deq/wq/wqpermits/Pages/Section-401-Fees.aspx

Agency	Certificate/ approval / denial description	Date Applied

Other DSL and/or Corps Actions Associated with this Site (Check all that apply.)

☐ Work proposed on or over lands owned by or leased from the Corps (may require authorization pursuant to 33 USC 408).

☐ State owned waterway DSL Waterway Lease # _____

☐ Other Corps or DSL Permits Corps # DSL #

☐ Violation for Unauthorized Activity Corps # DSL #

☑ Wetland and Waters Delineation Corps # DSL # WD 2015-0406

Submit the entire delineation report to the Corps; submit only the concurrence letter (if complete) and approved maps to DSL. If not previously submitted to DSL, send under a separate cover letter

(9) IMPACTS, RESTORATION/REHABILITATION, AND COMPENSATORY MITIGATION

A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, direct, and indirect impacts.

The resulting development would permanently impact 0.66 acres and avoid 0.46 acres of palustrine emergent wetlands. Due to the proposed stormwater management plan all hydrology within the subject property will be directed and discharged after pre-treatment downslope to the east.

B. For temporary removal or fill or disturbance of vegetation in waterbodies, wetlands or riparian (i.e., streamside) areas, discuss how the site will be restored after construction to include the timeline for restoration.

No temporary impacts proposed.

Compensatory Mitigation

C. Proposed mitigation approach. Check all that apply:

☐ Permittee-responsible Onsite Mitigation
☐ Permittee-responsible Offsite mitigation
☐ Mitigation Bank or in-lieu fee program
☐ Payment to Provide (not approved for use with Corps permits)

D. Provide a brief description of mitigation approach and the rationale for choosing that approach. If you believe mitigation should not be required, explain why.

The onsite wetlands are seasonal and are currently undeveloped. Onsite mitigation was reviewed as part of the development plan, however, the avoided wetlands would not be a good candidate for enhancement due to the existing topography and area available for mitigation.

The proposed adverse effects are considered to be reasonable and these wetland impacts will be mitigated through the purchase of wetland credits through an approved wetland mitigation bank which will ensure the proposed wetland impacts will be compensated through mitigation that will result in an increase in wetland functions compared to the existing wetlands proposed to be impacted.

By compensating for the impacts through a wetland mitigation bank the following principle objectives listed in 141-085-0680 (2) will be met based on the results of the attached HGM which indicates that the current wetlands onsite proposed for impact are low functioning and also low value largely due to surrounding development and agricultural use of the wetlands. We therefore believe that purchase of wetland credits from a local bank will provide the lift necessary to meet the mitigation requirements.

(A) The bank will provide functions and values lost at the site (see HGM table below) which it has successfully provided within this watershed.
(B) The bank will provide local replacement for locally important functions and values within the same watershed (see HGM table below).
(C) Purchase of mitigation bank credits supports the creation of wetlands that have been designed to be self-sustaining and require minimal long term maintenance
(D) The bank will ensure greater ecological suitability than onsite mitigation and would not provide connectivity to other similar habitats as what is present at the bank.
(E) The bank already contains mitigated wetlands and therefore the temporal loss would be considerably minimized vs. developing onsite or other offsite mitigation areas.

Table 2. Reference Based Functional Assessment and Assessment of Values for the proposed wetland impacts.

FUNCTIONAL ATTRIBUTES	Reference Based Functional Assessment	Assessment of Values
Water Quality & Quantity Functions		
Water Storage & Delay	**0**	**.4**
Sediment Stabilization & Phosphorus Retention	**.51**	**.3**
Nitrogen Removal	**.04**	**.5**
Fish & Wildlife Habitat Functions		
Thermoregulation	**N/A**	**N/A**
Resident Fish Habitat Support	**N/A**	**N/A**

Anadromous Fish Habitat Support	**N/A**	**N/A**
Invertebrate Habitat Support	**.21**	**.2**
Amphibian & Turtle Habitat	**.28**	**0**
Breeding Water Bird Support	**.86**	**0**
Wintering & Migratory Water bird Support	**.30**	**0**
Songbird Habitat Support	**.50**	**0**
Native Plant Communities & Species Diversity		
Primary Production	**.30**	**.2**
Support of Characteristic Vegetation	**.23**	**0**

*Scoring is based upon the HGM Guidebook's qualitative assessment of functions by assigning a score between 0 (minimal capacity) to 1.0 (highest capacity) to the functional attribute for the site indicated. Assessment of values were averaged for each functional attribute.

Mitigation Bank / In-Lieu Fee Information:

Name of mitigation bank or in-lieu fee project: Mud Slough Wetland Mitigation Bank

Type of credits to be purchased: PEMC

If you are proposing permittee-responsible mitigation, have you prepared a compensatory mitigation plan?

☐ Yes. Submit the plan with this application and complete the remainder of this section.

☐ No. A mitigation plan will need to be submitted (for DSL, this plan is required for a complete application).

Mitigation Location Information (Fill out only if permittee-responsible mitigation is proposed)

Mitigation Site Name/Legal Description	Mitigation Site Address	Tax Lot #

County	City	Latitude & Longitude (in DD.DDDD format)

Township	Range	Section	Quarter/Quarter

(10) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE

☐ **Pre-printed mailing labels of adjacent property owners attached**	**Project Site Adjacent Property Owners**	**Mitigation Site Adjacent Property Owners**

VOGES JAMES K & JUDITH
790 NE POLK STATION RD
DALLAS, OR 97338

KEELER DELBERT & MCMULLIN-KEELER SUSAN
579 NE EVERGREEN AVE
DALLAS, OR 97338

KERNS HOMES
PO BOX 386
INDEPENDENCE, OR 97351

SULLIVAN RICHARD LYNN & CLARICE ANN
578 NE EVERGREEN AVE
DALLAS, OR 97338

(11) CITY/COUNTY PLANNING DEPARTMENT LAND USE AFFIDAVIT (TO BE COMPLETED BY LOCAL PLANNING OFFICIAL)

I have reviewed the project described in this application and have determined that:

- ☐ This project is not regulated by the comprehensive plan and land use regulations
- ☐ This project is consistent with the comprehensive plan and land use regulations
- ☐ This project is consistent with the comprehensive plan and land use regulations with the following:
  - ☐ Conditional Use Approval
  - ☐ Development Permit
  - ☐ Other Permit (explain in comment section below)
- ☐ This project is not currently consistent with the comprehensive plan and land use regulations. To be consistent requires:
  - ☐ Plan Amendment
  - ☐ Zone Change
  - ☐ Other Approval or Review (explain in comment section below)

An application or variance request has ☐ has not ☐ been filed for approvals required above

Local planning official name (print)	Title	City / County

Signature	Date

Comments:

(12) COASTAL ZONE CERTIFICATION

If the proposed activity described in your permit application is within the Oregon coastal zone, the following certification is required before your application can be processed. The signed statement will be forwarded to the Oregon Department of Land Conservation and Development (DLCD) for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program and consistency reviews of federally permitted projects, contact DLCD at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050 or click here.

CERTIFICATION STATEMENT

I certify that, to the best of my knowledge and belief, the proposed activity described in this application complies with the approved Oregon Coastal Zone Management Program and will be completed in a manner consistent with the program.

Print /Type Applicant Name	Title

Applicant Signature	Date

(13) SIGNATURES

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or DSL staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. I understand that payment of the required state processing fee does not guarantee permit issuance.

To be considered complete, the fee must accompany the application to DSL. The fee is not required for submittal of an application to the Corps.

Fee Amount Enclosed	$

Applicant Signature (required) must match the name in Block 2	
Print Name	Title
Signature	Date
Authorized Agent Signature	
Print Name	Title
Signature	Date

Landowner Signature(s)*	
Landowner of the Project Site (if different from applicant)	
Print Name	Title
Signature	Date
Landowner of the Mitigation Site (if different from applicant)	
Print Name	Title
Signature	Date

Department of State Lands, Property Manager (to be completed by DSL)

If the project is located on state-owned submerged and submersible lands, DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.

Print Name	Title
Signature	Date

* Not required by the Corps.

(14) ATTACHMENTS

- [x] Drawings
  - [x] Location map with roads identified
  - [x] U.S.G.S topographic map
  - [x] Tax lot map
  - [x] Site plan(s)
  - [x] Cross section drawing(s)
  - [x] Recent aerial photo
  - [ ] Project photos
  - [ ] Erosion and Pollution Control Plan(s), if applicable
  - [x] DSL/Corps Wetland Concurrence letter and map, if approved and applicable
- [ ] Pre-printed labels for adjacent property owners (Required if more than 5)
- [x] **Incumbency Certificate** if applicant is a partnership or corporation
- [ ] Restoration plan or rehabilitation plan for temporary impacts
- [ ] Mitigation plan
- [x] Wetland functional assessment and/or stream functional assessment
- [x] Alternatives analysis
- [ ] Biological assessment (if requested by Corps project manager during pre-application coordination.)
- [ ] Stormwater management plan (may be required by the Corps or DEQ)
- [ ] Other:
  - [ ]
  - [ ]

Send Completed form to:

U.S. Army Corps of Engineers
ATTN: CENWP-OD-GP
PO Box 2946
Portland, OR 97208-2946
Phone: 503-808-4373
portlandpermits@usace.army.mil

Counties:
Baker, Clackamas, Clatsop, Columbia, Gilliam, Grant, Hood River, Lincoln, Malheur, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yamhill

OR

U.S. Army Corps of Engineers
ATTN: CENWP-OD-GE
211 E. 7th AVE, Suite 105
Eugene, OR 97401-2722
Phone: 541-465-6868
portlandpermits@usace.army.mil

Counties:
Benton, Coos, Crook, Curry, Deschutes, Douglas, Jackson, Jefferson, Josephine, Harney, Klamath, Lake, Lane, Linn, Marion

Send Completed form to:

DSL - West of the Cascades:

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
Phone: 503-986-5200

OR

DSL - East of the Cascades:

Department of State Lands
1645 NE Forbes Road, Suite 112
Bend, Oregon 97701
Phone: 541-388-6112

Send all Fees to:
Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
Pay by Credit Card Online:
https://apps.oregon.gov/dsl/EPS/

Owner / Developer:

DAVE KERNS CONSTRUCTION
P.O. BOX 386
INDEPENDENCE, OREGON 97351

POLK STATION PHASE 3

SEC. 28, T. 7 S., R. 5 W., W.M.
CITY OF DALLAS
POLK COUNTY, OREGON

INFORMATION SHOWN ON THESE PLANS REFLECT ACTUAL FIELD DATA GATHERED USING TRIMBLE S3 ROBOTIC INSTRUMENT, HORIZONTAL ANGLE ACCURACY ±1 SECOND, HORIZONTAL DISTANCE ACCURACY ±(2 mm.+2ppmxD)M.S.E.

ELEVATION DATUM USED:
NGVD 1929
TOP OF FIRE HYDRANT AT N.W. CORNER OF FERN AV. & N.E.DALLAS DR.
ELEVATION = 395.27
PER CITY ENGINEER.

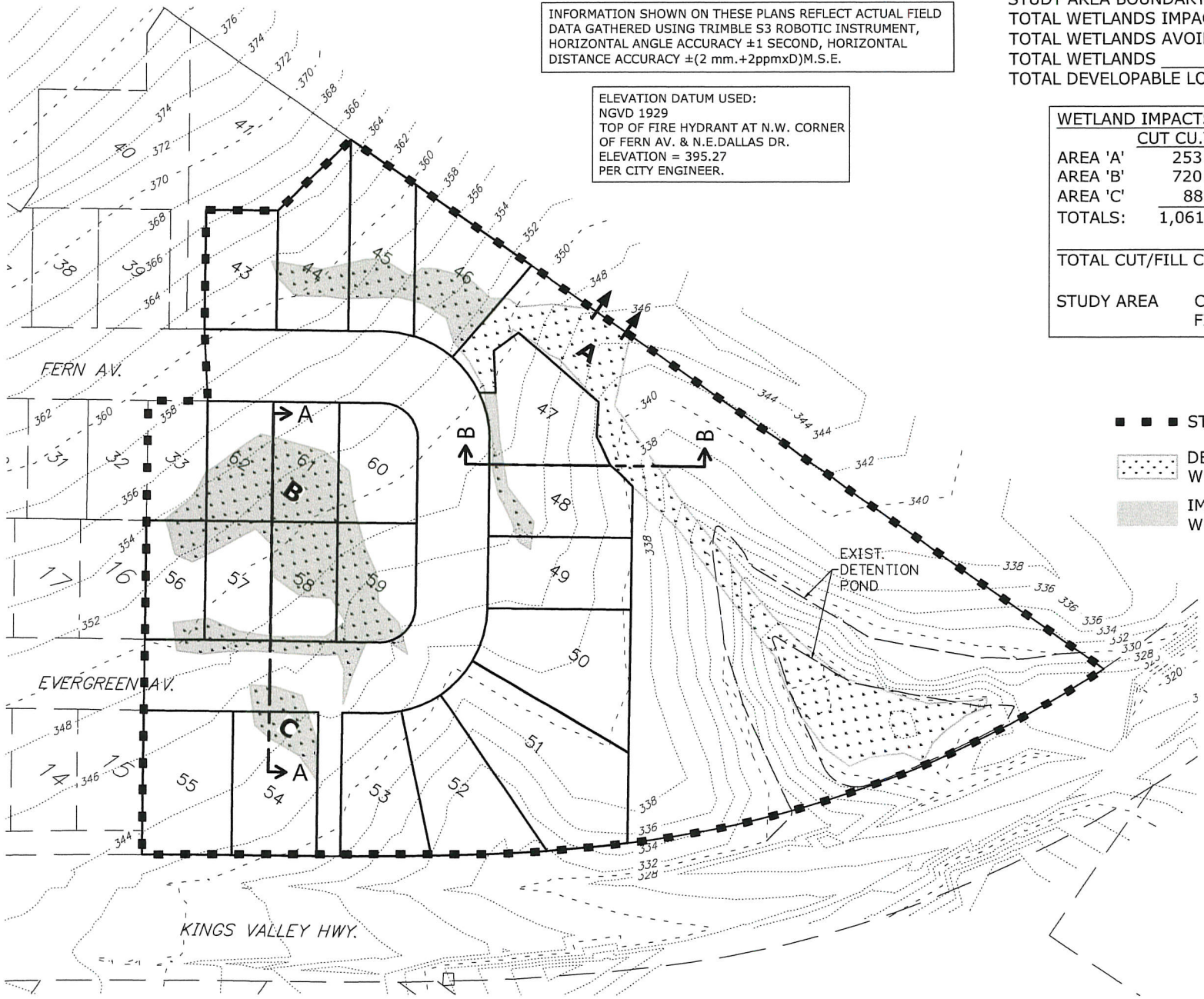
STUDY AREA BOUNDARY	297,430 S.F.	(6.83 AC.)
TOTAL WETLANDS IMPACTED	28,666 S.F.	(0.66 AC.)
TOTAL WETLANDS AVOIDED	19,945 S.F.	(0.46 AC.)
TOTAL WETLANDS	48,611 S.F.	(1.12 AC.)
TOTAL DEVELOPABLE LOTS	21	

WETLAND IMPACTS:

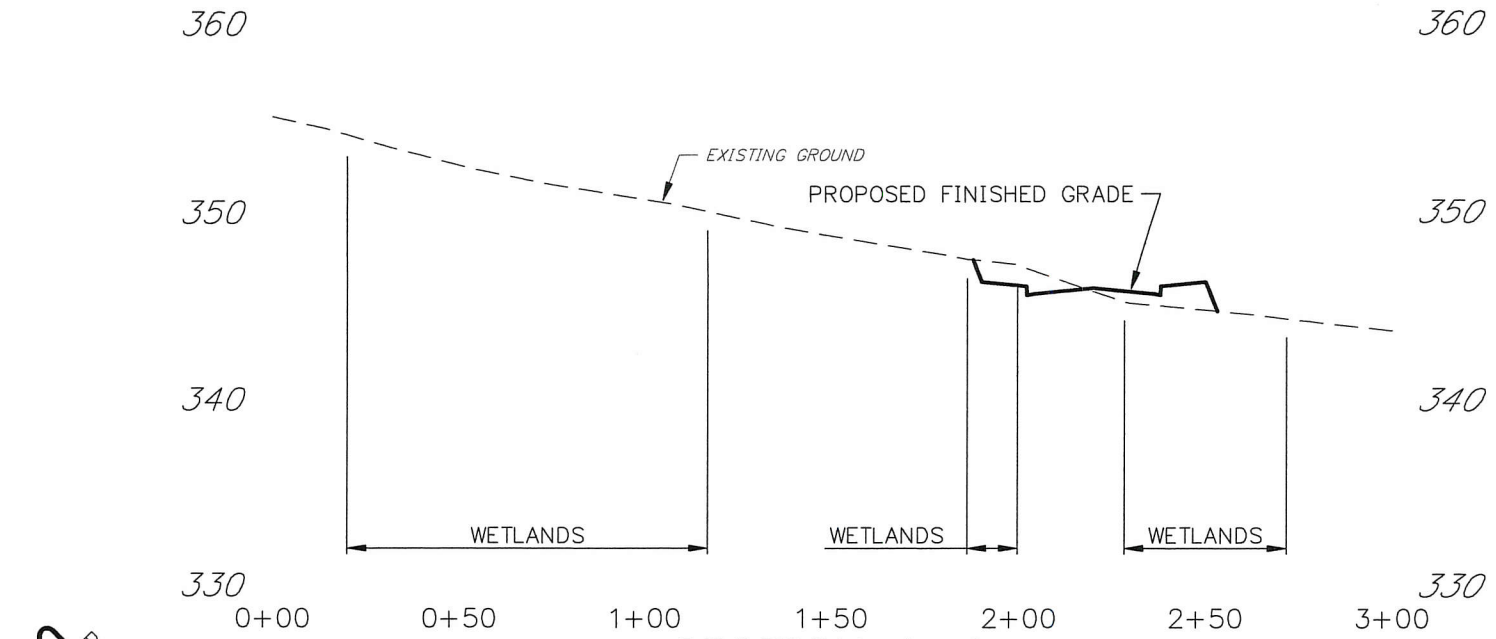
	CUT CU.YDS.	FILL CU.YDS.	SQ. FT.
AREA 'A'	253	507	6,848
AREA 'B'	720	1,620	19,434
AREA 'C'	88	264	2,384
TOTALS:	1,061	2,391	28,666

TOTAL CUT/FILL CU.YDS. 3,452

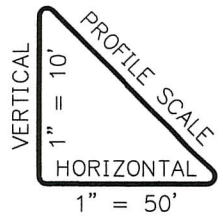
STUDY AREA CUT 6,323 CU.YDS.
FILL 15,952 CU.YDS.

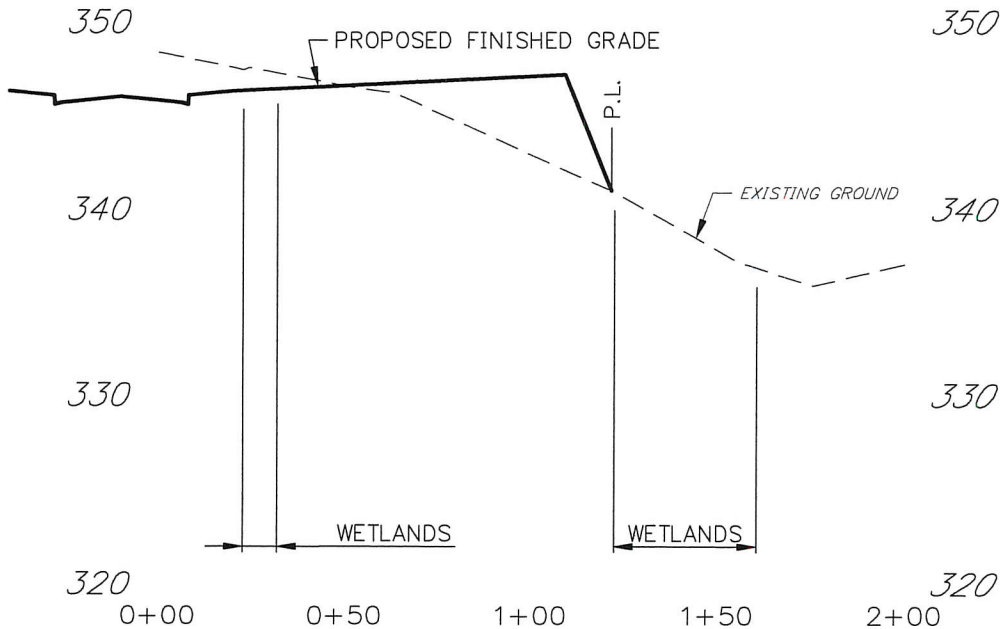


SHEET 1 = PREFERRED ALTERNATIVE



SECTION A–A





SECTION B–B

SHEET 2 = CROSS SECTIONS

ZION Natural Resources Consulting

P.O Box 545
Monmouth, OR 97361
Phone: 503-838-0103
Fax: 503-623-7425
www.zionconsulting.org

June 25, 2018

Department of the Army
Corps of Engineers, Portland District
P.O. Box 2946
Portland, OR 97208-2946

Dear Ms. Friesen:

The following items are the responses to your request for additional information in a letter to David Kerns Construction regarding an alleged wetland violation (NWP 2017-431) on April 27, 2018. Please let us know if there is anything further you may need for your review. The questions in your letter have been provided for reference to our responses below.

a. Provide an as-built sketch of all the work onsite between 2010-present.

Please see attached drone aerial images from May 2018 showing the existing development with the delineated wetlands overlay.

b. Describing in detail all work conducted within the NWP-2017-431 review area that includes the amount (in cubic yards) of fill material discharged into waters of the U.S.; the type and source of material that was discharged; and the size of the area (in square feet) where material was discharged. The description should also include the type of equipment (e.g., backhoe, dump truck, etc.) used to place the material into waters of the U.S.

Initial stockpiling in two large piles near Wetland A and the fill material between Wetland B and C appears to have been completed prior to 2010 (Google Earth imagery). According to the assessor's reports, sales records on homes along NE Evergreen were first built in 2008 by Millennium Homes Inc. This stockpiling activity likely occurred during the construction of NE Evergreen in 2008.

The trenching of the temporary drainage ditch occurred during the summer of 2016. A temporary drainage ditch was constructed from the end of the Phase 2 storm drainage system to the existing detention pond to the east. The work was routed around the delineated wetlands as shown on the construction plans.

In addition, some excess excavation material was stockpiled in the area just off the end of the Phase 1 development. The area where the temporary stock pile was

placed, was located outside of the delineated wetlands as shown on the delineation map.

The equipment used was a track mounted excavator for the ditch construction and trucks to transport the excess material to the stock pile.

c. Full name of property owner(s) since 2010, also provide the parcel number for the property.

2011
Columbia State Bank (Foreclosure Deed in Lieu)

2011 to 2014
David Kerns

2014 to Current
IMBERT LOUIS & IMBERT CECILE, TR
T7S, R5W, Section 28AC, Tax lot 4700

d. Who performed the utility, grading, stockpiling, and trenching work? If a contractor conducted the work, please furnish the contractor's name, address, and telephone number.

The applicant is not aware of who conducted the stockpiling activity in 2008. Trenching work completed in 2016 was done by:

West Valley Excavation
4010 Barnhart Rd
Dallas, OR 97338
503-623-4455

e. Who directed the work to be performed?

Multi-Tech Engineering and Surveying Inc. directed the construction of the temporary drainage ditch in accordance with the approved plans. They provided survey staking control for that area to make sure that wetland were not impacted.

The excess material was directed to be placed by the owner of the project. Multi-Tech noted for him the location of the wetlands and aided in making sure that the material was not placed in the delineated wetland areas.

f. Provide dates when the work started and completed for all activities described above.

Stockpiling work as described above was likely conducted in 2008. The temporary trenching activity was completed during the summer of 2016.

g. Provide a description of the primary purpose of the work conducted.

The primary purpose for the stockpiling in 2008 is unknown. The primary purpose of the trenching activity in 2016 was to temporarily place a stormwater outfall and ditch within an upland area as part of Phase 2 of the Polk Station Subdivision.

h. Provide reason(s) why the work was started before obtaining a Department of the Army permit.

It was understood based on the wetland delineation that work being conducted in 2016 was in uplands.

i. Other than the NWP-2017-431 application under review, have you ever obtained a Department of the Army permit before? If so, please provide the U.S. Army Corps of Engineers' reference number.

The applicant has not obtained a Department of the Army permit in the past.

j. Summarize any coordination with local and State regulatory agencies regarding the work.

Work conducted in 2016 was coordinated with the City of Dallas.

Please feel free to contact us with any questions or concerns about this information.

Sincerely,

Eric Henning

Eric Henning
Managing Member
Zion Natural Resources Consulting

Cc: David Kerns, David Kerns Construction
Michael DeBlasi, Jurisdictional Coordinator, Oregon Department of State Lands

WETLAND AERIAL MAP

J:\6400-6499\6466-PolkStationRoadPh3\Dwg v16\6466wet.dwg, WETLANDS, 6/5/2018 9:52:47 AM, DGuile

WETLAND AERIAL MAP